

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

DAVID DAVIS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 3:06-cv-544-WHA
	)	
PHENIX CITY, ALABAMA, et al.,	)	
	)	
Defendants.	)	

**ORDER SETTING PRETRIAL HEARING**

It is ORDERED that this cause is hereby set for a pretrial hearing as provided by Rule 16 of the Federal Rules of Civil Procedure, on **Monday, July 16, 2007 at 1:15 p.m.**, in chambers, Frank M. Johnson, Jr. U. S. Courthouse Complex, One Church Street, **Montgomery**, Alabama. \*\*

At the pretrial hearing, the court will consider the matters addressed by Rule 16. All parties are expected to have complied fully with this court's previously entered Rule 16 uniform scheduling order. All parties should prepare and have ready all stipulations and possible admissions of fact and of documents which might avoid unnecessary proof upon trial.

ANY PRO SE LITIGANTS and ALL LEAD ATTORNEYS must appear at the time above designated and be fully prepared to state the facts of the case in the most minute detail, and be authorized to admit all facts that are true. All motions which have not been otherwise submitted or ruled on will be heard at the above stated time. Counsel should be prepared to argue them. Appropriate penalties will be imposed for failure to comply with these requirements.

The parties are DIRECTED to prepare JOINTLY a proposed pretrial order in accordance with the attached outline. The plaintiff(s) shall ensure that the proposed pretrial order is received by the court NOT LATER THAN TWO BUSINESS days prior to the pretrial conference by either (1) delivery of the order (both hard copy and on disk) to chambers or (2) by transmitting an electronic copy of the proposed pretrial order to the court as an attachment to an email message sent to [propord\\_albritton@almd.uscourts.gov](mailto:propord_albritton@almd.uscourts.gov). For these purposes, the electronic or disk copy should be in WordPerfect or Word format and not in Adobe Acrobat PDF format. If the plaintiff is pro se, then the defendant(s) shall have this responsibility.

TRIAL TERM COMMENCES: August 20, 2007, in Opelika, Alabama.

**\*\* NOTE: While the trial will be held in Opelika, the pretrial hearing will be held in MONTGOMERY.**

Done this the 5th day of June, 2007.

/s/ W. Harold Albritton

W. Harold Albritton

Senior U. S. District Judge

**NOTICE TO ATTORNEYS**

The proposed pretrial order must be joint, and not piecemeal, and it should be reviewed and approved by all parties BEFORE the pretrial hearing.

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IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
DIVISION

	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	
	)	
Defendant.	)	

**ORDER ON PRETRIAL HEARING**

A pretrial hearing was held in this case on \_\_\_\_\_, wherein the following proceedings were held and actions taken:

1. PARTIES AND TRIAL COUNSEL:

COUNSEL APPEARING AT PRETRIAL HEARING: (same as trial counsel) or  
(indicate if different) \_\_\_\_\_

2. JURISDICTION AND VENUE:

3. PLEADINGS: The following pleadings and amendments were allowed:

4. CONTENTIONS OF THE PARTIES:

(a) The plaintiff(s)

(b) The defendant(s)

5. STIPULATIONS BY AND BETWEEN THE PARTIES:

It is ORDERED that:

1. The jury selection and trial of this cause, which is to last \_\_\_\_ (\_\_) days, are set for \_\_\_\_\_ at \_\_:00 a.m. at the United States Courthouse in \_\_\_\_\_, Alabama;

2. A trial docket will be mailed to counsel for each party approximately \_\_\_\_\_ weeks prior to the start of the trial term;

3. Each party shall have available at the time of trial, for use by the court (the judge, the courtroom deputy clerk, and the law clerk), three copies of the exhibit list and a sufficient number of copies of each photostatically reproducible exhibit for opposing counsel, the courtroom deputy clerk, the law clerk, and the judge to each have a set of the exhibits;

4. **IF REQUIRED:** Trial briefs are required to be filed by \_\_\_\_\_.

**IF NOT REQUIRED:** The parties in this case are not required to file trial briefs. However, if they wish to do so, their trial briefs shall be filed no later than \_\_\_\_\_.

5. All deadlines not otherwise affected by this order will remain as set forth in the Uniform Scheduling Order (Doc. #\_\_\_\_) entered by the court on \_\_\_\_\_;

6. All understandings, agreements, deadlines, and stipulations contained in this Pretrial Order shall be binding on all parties unless this Order be hereafter modified by Order of the court.

DONE this \_\_ day of \_\_\_\_\_, 2007.

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W. Harold Albritton  
Senior U. S. District Judge